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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PENDLETON DIVISION**

ANTHONY BYAM,  
Plaintiff,  
v.  
OREGON DEPARTMENT OF  
CORRECTIONS and KYLE OSBORN,  
Defendants.

Case No. 2:22-cv-00414

UNOPPOSED MOTION FOR EXTENSION  
OF TIME

**LR 7-1 CERTIFICATION**

Pursuant to Local Rule 7-1, Jonathan Gersten, counsel for Plaintiff Anthony Byam, hereby certifies that he has conferred with Counsel for the Defendants, Nathaniel Aggrey, via e-mail on November 13, 2023, and he does not oppose this motion.

**RELIEF REQUESTED**

Plaintiff requests an extension of the discovery deadlines in this matter. Plaintiff requests an additional 90 days to complete depositions and discovery and to extend case management deadlines accordingly.

## **ARGUMENT AND AUTHORITY**

Case schedules can be modified and extended based upon showings of “good cause.” Fed. R. Civ. P. 16(b)(4). The current close of discovery is December 4, 2023. Here, there is good cause for an extension of the fact discovery deadline to March 4, 2024, in order to allow time to depose Plaintiff Anthony Byam and Defendant Kyle Osborn. Given counsels’ schedules and recent appearance by Plaintiff counsel, additional time is needed to complete depositions and finish exchanging discovery in this case.

Counsel for Plaintiff and Counsel for Defendant request the following case management deadlines based on the proposed new close of discovery:

The current deadline for expert witness statements is January 4, 2024. Counsel requests that this deadline be extended to April 3, 2024.

The current close of expert discovery is January 19, 2024. Counsel requests that this deadline be extended to April 18, 2024.

The current deadline for dispositive motions is February 19, 2024. Counsel requests that this deadline be extended to May 20, 2024.

Counsel requests that the deadline to file the Joint ADR Report and Pretrial Order remains 30 days after the Court’s ruling on dispositive motions.

## **CONCLUSION**

Based on the foregoing, Plaintiff requests that this unopposed motion be granted, and that the new response deadline be set.

DATED: November 28, 2023.

*/s/ Jonny Gersten*  
Attorney for Plaintiff  
Jonny Gersten, OSB #191582